

08-22-01

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# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
883933.0067

Total Pages in this Submission

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

METHODS FOR IMPARTING DESIRABLE PHENOTYPIC TRAITS, INCLUDING DROUGHT, FREEZE, AND HIGH SALT TOLERANCE AND METHODS FOR INCREASING SEED PRODUCTION

and invented by:

Roberto A. Gaxiola

11040 U.S. PTO  
09/234088  
08/20/01

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

## Application Elements

1. ☐ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 30 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

07/09/2003 WPHILLIP 00000001 501631 09934088  
 Sale Ref: 00000001 DA#: 501631 09934088  
 01 FC:2255 988.00 DA

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

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**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*  
a. ☐ Formal      b. ☒ Informal      Number of Sheets 14
4. ☒ Oath or Declaration  
a. ☐ Newly executed *(original or copy)*      ☒ Unexecuted  
b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*  
c. ☐ With Power of Attorney      ☐ Without Power of Attorney  
d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under  
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission *(if applicable, all must be included)*  
a. ☐ Paper Copy  
b. ☐ Computer Readable Copy  
c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8. ☐ Assignment Papers *(cover sheet & documents)*
9. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing  
☐ First Class      ☒ Express Mail *(Specify Label No.):* EL494552085US

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**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Accompanying Application Parts (Continued)**

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☐ Small Entity Statement(s) - Specify Number of Statements Submitted: \_\_\_\_\_
17. ☐ Additional Enclosures *(please identify below)*:

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**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

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**(Small Entity)**

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**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	32	- 20 =	12	x \$9.00	\$108.00
Indep. Claims	4	- 3 =	1	x \$40.00	\$40.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$355.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$503.00

- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **50-1631** as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of **\$503.00** as filing fee.
  - ☐ Credit any overpayment.
  - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
  - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: August 20, 2001

  
Signature

Daniel F. Coughlin (Reg. No. 36,111)  
Cummings & Lockwood  
700 State Street, Granite Square  
New Haven, CT 06509  
Tel. (203) 351-4622

CC:

08-22-01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Roberto A. Gaxiola

on METHODS FOR IMPARTING  
DESIRABLE PHENOTYPIC TRAITS,  
INCLUDING DROUGHT, FREEZE, AND  
HIGH SALT TOLERANCE AND  
METHODS FOR INCREASING SEED  
PRODUCTION

Serial Number: To be assigned

Filed On: Herewith

) (Docket No. 883933.0067)

Hartford, Connecticut, August 20, 2001

**BOX PATENT APPLICATION**

Hon. Assistant Commissioner for Patents

Washington, D.C. 20231

"Express Mail" mailing label number: EL494552085US

Date of Deposit: August 20, 2001

I hereby certify that the attached patent application consisting of 27 pages of Specification; 3 pages of Claims (4 independent; 28 dependent), and 1 page of Abstract; Informal Drawings (14 sheets), Utility Patent Application Transmittal (Small Entity); Transmittal of Sequence Listing, a copy of the Declaration, Power of Attorney and Petition; and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, BOX PATENT APPLICATION, Washington, D.C. 20231.

Eric E. Grondahl


(Typed or printed name of person mailing paper or fee)

E. E. Grondahl

(Signature of person mailing paper or fee)

\_\_\_\_\_

Date: August 20, 2001

  
Daniel F. Coughlin

Daniel F. Coughlin  
Attorney for Applicant  
Registration No. 36,111

## PTO Correspondence Address:

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(b) The Board shall have the authority to suspend or terminate the membership of any member who fails to comply with the rules and regulations of the Board.

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